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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/828,227	04/09/2001	Mutsumi Shimazaki	018773-029	5635

7590 07/01/2004

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EXAMINER

FREJD, RUSSELL WARREN

ART UNIT

PAPER NUMBER

2128

DATE MAILED: 07/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/828,227

Applicant(s)

SHIMAZAKI, MUTSUMI

Examiner

Russell Frejd

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2128

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 09 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-11 and 13-15 is/are rejected.
- 7) ☒ Claim(s) 3 and 12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

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## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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***Examination of Application #09/828,227***

1. Claims 1-15 of application 09/828,227, filed on 9-April-2001, are presented for examination.

***Claim Rejections under 35 U.S.C. § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.1 Claims 1, 2, 4-11 and 13-15 are rejected under 35 U.S.C. 102(b) as being anticipated by the article authored by Wadell, entitled *Smith Charts are Easy – Part 2*, IEEE Instrumentation & Measurement Magazine Vol. 2, No. 2, June 1999, pages 45-47.

2.2 Wadell disclosed the invention as claimed, including Smith charts as visualization tools used by engineers to design electrical circuits [p. 45, 1<sup>st</sup> col.], including [on any one of Figs. 1-3 and 5-7]:

a design chart with polar and orthogonal coordinates drawn on a Smith chart (*claims 1, 6 and 13*), and furthermore, in regard to the display units and storage area of claim 6, the Examiner respectfully posits that displays and memories (storage areas) are old and well known throughout the circuit design art ;

a center, and grid lines with origins (*claims 2, 7 and 14*);

circular distance lines and radial angle lines (*claim 4*);

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a plurality of vertical and horizontal lines with constant intervals drawn from a center of the Smith chart (claim 5);

In regard to claim 8, the limitations of this claim were discussed in the rejection of claims 1 and 6, and are therefore considered rejected for the reasons as set forth above.

In regard to claims 9-11, the limitations of these claims were discussed in the rejection of claims 2 and 6, and are therefore considered rejected for the reasons as set forth above.

In regard to claim 15, the limitations of this claim were discussed in the rejection of claim 6, and are therefore considered rejected for the reasons as set forth above.

### ***Claim Objections***

3. The remaining claims 3 and 12, are objected to for incorporating the rejection of their respective base claims by dependency.

### ***Response Guidelines***

4. A shortened statutory period for response to this action is set to expire **3 (three) months and 0 (zero) days** from the date of this letter. Failure to respond within the period for response will cause the application to become abandoned (see MPEP 710.02, 710.02(b)).

5. **Any response to the Examiner in regard to this non-final action should be**

**directed to:** Russell Frejd, telephone number (703) 305-4839, Monday-Friday from 0630 to 1500 ET, **or** the examiner's supervisor, Kevin Teska, telephone number (703) 305-9704. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist, telephone number (703) 305-3900.

**mailed to:** Commissioner of Patents and Trademarks  
Washington, D.C. 20231

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or faxed to: (703) 872-9306

*Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).*

Date: 25-June-2004

RUSSELL FREJD

RUSSELL FREJD  
PRIMARY EXAMINER

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